

REMARKS

Applicant has amended the claims as identified by the Examiner to present allowable claims. Claims 1-9, 14, 22, 31, 33, 41 and 45-47 have been cancelled without prejudice. Claims 10-13, 15-18, 23-27, 32, 34-36 and 42-44 have been amended. Claims 51-77 have been added. No new matter has been added as a result of these amendments.

Objections to the Drawings under MPEP §608.02(g)

The Examiner objected to the drawings, stating that Figures 1 and 2 should be designated by a legend such as "Prior Art". Applicant has corrected Figures 1 and 2 and respectfully requests the withdrawal of the objection.

102(e) & 103(a) Claim Rejections and Claim Objections

Applicant's claims 31 and 32 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Loehndorf, US Patent No. 6,094,437. Furthermore, Applicant's claims 1-12, 14-17, 22, 23, 26, 33, 35, 41, 42 and 45-47 have been rejected under 35 U.S.C. § 103(a) as being obvious over Loehndorf in view of Susuki, US Patent No. 6,529,479. Applicant does not admit that Loehndorf or Susuki is prior art and reserves the right to swear behind the references at a later date. Finally, Applicant disagrees with the rejection of the claims and reserves the right to pursue the claims in a continuation.

Applicant thanks the Examiner for indicating that claims 13, 18, 24, 25, 27, 43 and 44 contain allowable subject matter if rewritten to include all the limitations of the claims from which they each originally depended. Claims 10-13, 15-18, 23-27, 32, 34-36, and 42-44 have been so amended. In view of these amendments, Applicant respectfully submits that claims 10-13, 15-18, 23-27, 32, 34, 35, 42-44 are now in condition for allowance, and request allowance of said claims.

Applicant thanks the Examiner for allowing claims 19-21, 28-30, 36-40 and 48-50.

New Claims

Claims 51-77 have been added. Applicant respectfully submits that the new claims are in condition for allowance for the same reasons as the current claims.

Specifically:

Claims 51 and 52 depend from independent claim 25.

Claims 53 and 54 depend from independent claim 27.

New independent claims 55, 59, 63, 66, 69, 72 and 75 are method claims corresponding to allowable machine readable media claims 13, 18, 19, 24, 25, 27 and 28, respectively. Claims 56-58, 60-62, 64, 65, 67, 68, 70, 71, 73, 74, 76 and 77 are allowable because they depend from one of the new method claims.

Information Disclosure Statement

Applicant is submitting herewith a PTO-1449 form and associated references. Applicant wishes to draw the Examiner's attention to certain of these references. In particular, Applicant submits manuals for releases 2.3 and 3.1 of the Patent Owner's products to indicate the added features. Applicant respectfully submits that Release 2.3 (Access Operating System (AOS) Configuration Guide Release 2.3) qualifies as prior art published more than one year before the filing date of this application, whereas Release 3.1 (release notes for Redback AOS Release 3.1.4; Access Operating System (AOS) Configuration Guide Release 3.1; and Access Operating System (AOS) Command Reference) does not and the description of the claimed invention contained therein is attributable to the inventors of this application.

Page 7 of the release notes for Redback AOS Release 3.1.4 shows "Ethernet over tunnels" as a new L2TP feature. There is no such feature listed in Redback AOS Release 2.3.

CONCLUSION

Claims 10-13, 15-21, 23-30, 32, 34, 35-40, 42-44 and 48-50 have been determined to be allowable. Claims 51-77 have been added and are allowable for the same reasons as the above claims. In view of the foregoing amendments, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant

respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Eric Replogle at (408) 720-8300.

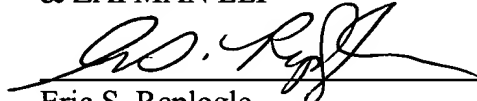
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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